

**UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO**

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In re: THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO, as representative of THE COMMONWEALTH OF PUERTO RICO, <i>et al.</i> ,	PROMESA Title III No. 17 BK 3283-LTS (Jointly Administered)
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Debtors.¹

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**INFORMATIVE MOTION REGARDING PREPA’S MOTION TO DISMISS
COUNTS I AND II OF PLAINTIFFS’ SECOND AMENDED COMPLAINT**

To the Honorable United States District Judge Laura Taylor Swain:

Pursuant to the Court’s *Order Regarding Procedures for June 16–17, 2021, Omnibus Hearing* [Case No. 17-3283, ECF No. 16898], the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as representative of the Commonwealth of Puerto Rico (the “Commonwealth”) pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”),² respectfully states as follows:

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (“Commonwealth”) (Bankruptcy Case No. 17-BK-3283- LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² PROMESA has been codified at 48 U.S.C. §§ 2101–2241.

1. The parties will appear telephonically at the omnibus hearing on the *Defendant Puerto Rico Electric Power Authority's Memorandum of Law in Support of Motion to Dismiss Counts I and II of Plaintiffs' Second Amended Complaint Pursuant to Fed. R. Civ. P. 12(b)(1) and (6) [Adv. Case No. 20-115, ECF No. 41]* (the "Motion") as well as any and all objections, responses, statements, joinders, and replies to the Motion.

2. The following individuals may appear to speak on behalf of the Parties:

- a. Oversight Board: Lary A. Rappaport
- b. Official Committee of Unsecured Creditors: John Arrastia
- c. Plaintiffs: Mark Vazquez

3. The parties understand the Court has allocated 50 minutes for a hearing on the Motion. The parties have agreed to allocate such time as follows, listed in the order in which the parties shall present:

- a. Movants
 - i. Oversight Board: 15 minutes
 - ii. Official Committee of Unsecured Creditors: 5 minutes
- b. Objecting Parties
 - i. Plaintiffs: 25 minutes
- c. Movants
 - i. Oversight Board: 5 minutes

Dated: June 11, 2021.
San Juan, Puerto Rico

Respectfully submitted,

/s/ Martin J. Bienenstock
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